

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions and listings of claims in the application:

1-12. (Canceled).

13. (New) A distraction and damping device, comprising:

a first rod member having a first end;

a second rod member having a second end;

a mechanical coupler connecting the first rod member to the second rod member and allowing adjustment of the positions of the first rod member and the second rod member such that a distance between the first end of the first rod member and the second end of the second rod member can be controlled to straighten the spine of a patient; and

a first damping member, having a first end coupled to the first end of the first rod member and a second end configured to be coupled to a first bone structure.

14. (New) The device of claim 13 wherein the first damping member comprises:

a rigid cylinder;

a first elastic member disposed within the rigid cylinder; and

a second elastic member disposed within the rigid cylinder, wherein the first end of the first rod member includes an enlarged distal portion disposed between the first elastic member and second elastic member.

15. (New) The device of claim 13, wherein at least one of the first rod member and the second rod member is serrated.
16. (New) The device of claim 13, wherein at least one of the first rod member and the second rod member is curved.
17. (New) The device of claim 13, wherein the first rod member and the second rod member are both curved.
18. (New) The device of claim 13, wherein the second end of the first damping member is configured to be coupled to a vertebra.
19. (New) The device of claim 13, wherein the second end includes a hook member configured to engage a rib.
20. (New) The device of claim 13, further comprising:  
a second damping member, having a first end coupled to the second end of the second rod member and a second end configured to be coupled to a second bone structure.
21. (New) The device of claim 20 wherein the second damping member comprises:  
a rigid cylinder;  
a first elastic member disposed within the rigid cylinder; and

a second elastic member disposed within the rigid cylinder, wherein the second end of the second rod member includes an enlarged distal portion disposed between the first elastic member and second elastic member.

22. (New) The device of claim 20, wherein the second end of the second damping member is configured to engage a rib.